



PATENT APPLICATION

Section #3

IN THE U.S. PATENT AND TRADEMARK OFFICE

August 20, 2001

Applicant(s) : Tadashi FUKUMOTO, et al.
For : BREAKWATER GENERATING STRUCTURE

Serial No. : 09/863 749 Group: 3673
Filed : May 23, 2001 Examiner: Unknown
Atty. Docket No.: Ishii Case 16
Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE

This is a response to the Patent Office communication mailed July 24, 2001, a copy of which is enclosed.

(Please see following pages.)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on August 20, 2001.

Respectfully submitted,


Terryence F. Chapman

Pursuant to 37 CFR 1.52, 1.53 and/or 1.62, this application was filed without at least one of the filing fee, the English language text and/or the oath or declaration, and was granted the serial number and filing date set forth in the caption of this response. Accordingly, the items listed below are being submitted herewith:

[X] Copy of PTO communication mailed July 24, 2001.

[X] Declaration or Oath

[] Attached to the Declaration or Oath is a copy of the specification which was filed in the Patent Office in order to obtain a filing date for this application.

[] Verified English translation of originally-filed foreign language text.

[] Statement(s) re small entity (37 CFR 1.9 and 1.27):

[] submitted previously

[] Statement(s) submitted herewith

[X] A check for \$840.00 to cover fees.

[X] Acknowledgment Postal Card

[X] Priority is claimed under 35 USC 119 based on Japan Application No. 2000-156893 and 2001-42294, filed May 26, 2000 and February 19, 2001, respectively.

[] A certified copy of the priority application is enclosed.

[X] The filing fee is as follows:

[] Design Application - [] \$320.00 (large entity)
[] \$160.00 (small entity)

[X] Utility Application - as calculated below:

For	No. Filed	No. Extra	(X) LG Entity	RATE	() SM Entity	Fee
Basic Fee				\$710.00	\$355.00	\$710.00
Total Claims	(11 - 20 = 0)		x	\$ 18.00	x \$ 9.00	
Indep. Claims	(2 - 3 = 0)		x	\$ 80.00	x \$ 40.00	
[] Multiple Dep. Claim			+	\$270.00	+ \$135.00	
* * * TOTAL FILING FEE * * *						\$710.00

[X] The surcharge under 37 CFR 1.16(e) for late filing of the basic filing fee and/or the oath or declaration is as follows:

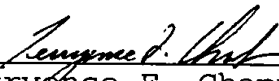
[X] \$130.00 (large entity)

[] \$ 65.00 (small entity)

- [] The fee under 37 CFR 1.17(i) for filing a foreign language text:
[] was submitted previously.
[] is \$130.00 and is included in an enclosed check.
- [] Please charge my Deposit Account No. 06-1382 in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- [X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.
- [X] Any additional filing fees required under 37 CFR 1.16
- [X] Any patent application processing fees under 37 CFR 1.17
- [] The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.
- [] Any patent application processing fees under 37 CFR 1.17
- [] Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

IN DUPLICATE


Terryence F. Chapman

TFC/ad

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Encl: Listed above

115.0900



UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 23 2001

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/863,749	05/23/2001	Tadashi Fukumoto	Ishii Case 16

CONFIRMATION NO. 9164

FORMALITIES LETTER



OC000000006335201

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Date Mailed: 07/24/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- The Claim(s) commencing on a separate sheet (37 CFR 1.75(h)).

08/24/2001 EABUBAK1 00000003 09863749

01 FC:101	710.00 OP
02 FC:105	130.00 OP

*A copy of this notice **MUST** be returned with the reply.*

 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE